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# **From horizontal to vertical labour governance: the International Labour Organization (ILO) and decent work in global supply chains**

## **Abstract**

The role of the International Labour Organization (ILO) in the governance of global supply chains is typically neglected or simply dismissed as ineffective. This is understandable as global supply chains have undermined the traditional nation-State (horizontal) paradigm of global labour governance, most notably the international Conventions agreed by the tripartite constituents (governments, employers and workers' representatives) of the ILO. But this simply poses the question of whether, and if so how, the ILO can reframe the system of global labour governance to include the (vertical) global supply chains that all too often fail to deliver 'decent work for all'. Based on an extended ethnographic study, we demonstrate how policy entrepreneurs (international civil servants) within the ILO can play a pivotal role in not only reframing the discourse in a way that resonates with the 'lived experiences' of constituents but also 'orchestrate' the social partners in order to secure majority support for a process that might ultimately lead to a new standard (Convention) for decent work in global supply chains. A new approach to employment relationships in global supply chains is 'in the making' with the potential to improve working conditions and rights at work for millions across the globe.

## **Introduction**

Few would argue that current forms of international regulation that govern the activities of firms in global supply chains can guarantee ‘decent work’ for all. Whether in the form of corporate codes of conduct (Locke, 2013), international framework agreements (Niforou, 2014), or an international Accord or Better Work programme for a particular country/sector (Reinecke and Donaghey, 2015; and Posthuma and Rossi, 2017), it is clear that the emerging system of global labour governance based predominantly on private, voluntary and self-regulatory standards, with a focus on compliance by business (rather than governments) via the market mechanism (rather than hierarchical authority), leaves significant ‘governance gaps’ that have yet to be closed (Hassel, 2008). Historically, the International Labour Organization (ILO) played a significant role in the ‘equalization’ of (labour cost) ‘competition’ among the nations so that trade might be liberated without danger to standards of living’ (Polanyi, 1944: 27-8). In more recent years, in contrast, the ILO appears to be ‘adrift’ (e.g. Marginson, 2016: 1051) and unable to depart from its (path dependent) past and the ‘particular constellation of interests and power resources prevailing at the time of its foundation’ (Baccaro and Mele, 2012: 218; see also Royle, 2010; and Standing, 2008). The significance of this seemingly parlous state of affairs cannot be underestimated: if multilevel (public) forms of labour regulation are needed to close global governance gaps, the ILO is the only international organization with the constitutional mandate to bring capital, labour and the state together to promote decent work in global labour supply chains.

For the ILO, global supply chains present a particular challenge, not simply because there are estimated to be well over 450 million workers employed in these chains (ILO, 2015: 132) but more importantly because the multilevel governance structure of ILO Conventions (international labour standards ratified by member States) do not follow the (convoluted) vertical lines of global supply chains but the horizontal (sovereign) space of member States’

jurisdiction. A global labour governance regime to promote decent work in global supply chains demands vertical and not simply horizontal regulation of labour standards, as Guy Ryder, the current Director-General (D-G) of the ILO, has been at pains to point out:

‘National governments ratify [Conventions] and are responsible for answering to the ILO for their observance. *It’s a nation state based approach to international labour behaviour.* There has been a growing feeling, an accumulation of feelings, that the advent of globalization, the development of supply chains and production networks, has led to a risk ... that this *purely nation state approach to the behaviour of the globalized economy risked missing the dimension that was the transversal integration of production networks across countries.* I think we knew it and I don’t think we knew what to do about it’ (Ryder, 2015, emphasis added).

In order to determine ‘what to do about it’, the ILO must start with new *policy ideas* that, over time and in combination, might develop into a new *policy programme* guided, as always, by the founding (philosophical) principle that ‘labour should not be regarded as merely a commodity or an article of commerce’ (ILO, 1919). The moral legitimacy of this basic principle not only shapes the underlying assumptions and content of policy proposals, but also constitutes an emancipatory ‘discursive weapon’ that informs the reframing of reform imperatives. To be sure, new ideas only become a causal factor under specific institutional and political conditions (Béland, 2009: 702), but international organizations are more ‘open’ than most historical institutional accounts acknowledge, and where policy consensus is the exception rather than the rule there is always an opportunity for new ideas espoused by well-positioned policy entrepreneurs (Béland and Orenstein, 2013).

Under the guidance of its D-G, the Constitution of the ILO accords the International Labour Office (hereafter ‘the Office’) a ‘substantial degree of autonomy ... to the point of establishing [this autonomy] as the Organization’s hallmark’ (Maupain, 2013: 118). In fact, at

critical moments in its history, the leadership of the ILO has put forward bold policy programmes (Cox, 1965: 102; Helfer, 2006: 681; and Hughes and Haworth, 2011: 2), albeit with greater impact on the institutional solidity of the Organization than the world of work (Haas, 1964; and Alston, 2004). The challenge for the ILO in the twenty-first century is therefore to go beyond the articulation of new policy ideas to the instigation of a new policy programme that might eventually guarantee decent work in global supply chains – the goal, simply put, is to create a new ‘policy paradigm’ for global labour governance, ‘a framework of ideas and standards that specifies not only the goals of policy and kind of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing’ (Hall, 1993: 279).

Translating policy ideas into a policy programme that might eventually create a new policy paradigm is a prolonged and contested process. If sentient (thinking and speaking) agents are to be the drivers of change, and their ideas (what they think about what to do about it) and discourse (what they say about what to do about it) are the vehicles of change, then they must ‘break the path’ of past dependencies and seize the opportunities presented and created by the institutional context in which they operate, where their ideas have meaning, their discourses have communicative force, and their collective actions make a difference (Schmidt, 2011: 119). Such purposeful communication (strategic framing) relies on both understanding (resonance) and support (collective action), or text with context and words with deeds. For the ILO, the first step along the path towards a new policy paradigm was to put the issue of decent work in global supply chains on the agenda of the International Labour Conference (ILC) – the so-called ‘parliament of labour’ (Morse, 1969: 43) – as this is ‘the most significant and visible expression of the actions of the ILO in carrying out its mandate to assist its Members in giving effect to the Organization’s constitutional objectives’ (GB.323/INS/2, para.1).<sup>1</sup> At the ILC in June 2016, the ILO’s tripartite constituents

(governments, employers and workers' representatives) agreed to: 'Consider what guidance, programmes, measures, initiatives or *standards* are needed to promote decent work and/or facilitate reducing decent work deficits in global supply chains' (ILC.105/PR/14-1, para.25, emphasis added). Inclusion of the word 'standard' is paramount because, in 'ILO-speak', this opens the door to a future Convention on decent work in global supply chains.

The 'outcome' (agreed Conclusions) of the ILC constitute an 'input' to an on-going process that starts with ideas and discourse, framed by policy entrepreneurs within a particular (internal) institutional setting and subject to (external) environmental constraints and political opportunities. In the following section, we demonstrate how the protracted policy-making process of the ILO lends itself to process rather than variance analysis (i.e. an exploration of the temporal structure of social practices and the uncertainties and urgencies that are inherently involved in such practices) (Langley et al, 2013: 4), ideally from the perspective of a 'participant-as-observer' (Gill and Johnson, 2010: 167) with access to data from 'behind the scenes' as well as the 'public record'. In the subsequent section, we demonstrate how the framing of new policy ideas comes into sharper focus through the theoretical lens of discursive institutionalism, which seeks to 'show empirically how, when, where, and why ideas and discourse matter for institutional change' (Schmidt, 2010: 21; see also Béland and Orenstein, 2013: 137). The policy-making process within the ILO – translating ideas into action – is one of 'orchestration' (Abbott et al, 2015: 3) by the Office, whereby policy entrepreneurs provide ideational and material support to the ILO's tripartite constituents, most notably labour, in order to address target actors in pursuit of the Organization's governance goals. The ILO's target is global supply chains and in particular the trans-national corporations (TNCs) who coordinate and control their activities through these chains. The aim is to establish a new standard (Convention) for vertical regulation along these chains,

providing tripartite (horizontal) actors at the national level with greater leverage to protect and promote decent work.

### **Researching the contentious (re)framing of ILO policy making**

‘Access to, and control of, international organizations is a valuable prize. Policy entrepreneurs and their networks compete to define the policy ideas and agendas of international organizations’ (Béland and Orenstein, 2013: 136).

For neo-institutional theory, ‘frames represent one of the few constructs that coherently connect macro cognitive schemas to local contexts of discursive interaction’ (Cornelissen and Werner, 2014: 214). All too often, however, ‘frames’ and ‘framing’ are conflated, with a (*post hoc*) focus on outcomes that are assumed to reflect how social actors inferred the ‘right’ frame and behaved accordingly. To be sure, ‘what actually happened’ must always be part of the analysis, ‘because whether and how ideas and discourse lead to collective action help in the assessment of the credibility and feasibility of the ideas and discourse as well as of the intentions of the agents’ (Schmidt, 2014: 190-1). Nonetheless, there is a tendency to highlight cognition, and thus frames, as separate from discourse and action (or framing), or to collapse frames and framing into the same construct, resulting in a singular and narrow focus on outcomes at a particular level of analysis (Cornelissen and Werner, 2014: 215). Instead of trying to ‘name’ frames and how they prime certain thoughts and behaviours, we need to focus on the dynamics of framing and eschew the assumption that frames exist in discourse as separate and coherently bounded symbols or thoughts (Cornelissen and Werner, 2014: 220).

Our starting point is therefore the proposition that analyzing events as they unfold, in data-rich ‘real time’, is preferable to retrospective analysis of the sparse and synthetic official record (Langley et al, 2013: 11). If we accept that ‘ideas matter’, and especially the ideas of policy entrepreneurs, we ‘cannot assume much about their intent without doing a detailed

analysis of the thinking and expert debates taking place within the organization’ (Béland and Orenstein, 2013: 137). Such processes, like all process data, are ‘notoriously challenging’ (Langley, 1999: 706), as the data is multi-level (e.g. inputs to the ILO from different industrial sectors, different member States, and international organizations representing employers and workers); multi-unit (e.g. official meetings of the ILO’s Governing Body, ILC, and sector- or subject-specific tripartite meetings); of varied temporal embeddedness (e.g. when new policy ideas are first imagined, articulated, agreed and then implemented); and eclectic (e.g. the official record of ILO meetings, informal discussions and negotiations, the changing relationships between different actors, and the impact of political opportunities). In the ILO, all these elements come together in the coordinative policy making process, where there is a clear sequence of events (formal and informal meetings), focal actors (protagonists and antagonists), an identifiable voice reflecting the viewpoint of the tripartite constituents (member States, the Employers’ Group and the Workers’ Group), an evaluative frame of reference of what is ‘right’ (appropriate) and ‘wrong’ (inappropriate) (i.e. labour is not a commodity and must not be treated as such), and other indicators of context over time and place (e.g. political opportunities that arise when indecent work hits the headlines) (cf. Pentland, 1999).

Framing within the ILO is clearly an interactive process, which raises the question of how ‘common ground’ (agreed text) is established in and through repeated interactions at the organizational level. According to Cornelissen and Werner (2014: 219), in order ‘to study the ongoing and interpretive process of framing and meaning construction across actors and across time’ we need to ‘move closer to the action’ via ethnographic methods. Participant observation places the researcher at the heart of the ‘meaning context’ where ideas and discourse make sense and where formal arrangements affect how, when and where (re)framing matters. Serendipitously, an initial 6-month internship (January-June 2013) for



one of the researchers coincided with the appointment of Guy Ryder to the position of D-G, which proved to be a significant event as personal biographies matter (Cornelissen and Werner, 2014: 216) and Ryder is the first leader of the ILO to be clearly identified with the ‘workers’ side’.<sup>2</sup> The internship was followed by an 18-month (fixed-term) contract (July 2013 to December 2014), with a succession of subsequent short-term contracts including 2 weeks working for the Office during the ILC 2016. Throughout this period, the research on decent work in global supply chains was overt, but the transition from intern to international civil servant occasioned a shift from ‘observer-as-participant’ to ‘participant-as-observer’ (i.e. from a spectator to a fully-fledged participant) (Gill and Johnson, 2010: 167). The ‘participant-as-observer’ (PAO) is much better placed to understand ‘what is said’ and ‘how things work’ when employed alongside other social actors, thereby developing the ‘interactional skills’ (Collins, 2004) needed to communicate with and relate to Office staff and the tripartite constituents in ways that engaged them in sharing ‘what they know’.

All process research involves some narrative element, a more or less detailed story based on the raw data.<sup>3</sup> As one of several sense-making strategies for process data analysis (Langley, 1999), our narrative strategy was used both as a preliminary step to prepare a chronology of subsequent interconnected events and to ‘get on top’ of the data (i.e. to ask not simply ‘what is going on here?’ but ‘what is this a case of?’) (Tsoukas, 2009: 298). This informed, and was followed by, the intermediate step of quantification to determine patterns in the data and discourse over time and place. For example, extending Boockmann’s (2003: 268) analysis of voting patterns at the ILC to the most recent period confirmed the increasing inability of the ILO to agree on new Conventions that might address the challenges of a changing world of work (cf. Standing, 2008), primarily as a result of the opposition of employers (more than half of the Employers’ Group voted against, abstained or simply failed to participate in Convention votes at the ILC over the period 1996-2016).<sup>4</sup>

The increasing tendency of employers ‘not to listen’ by voting against, abstaining or not participating in votes on proposed Conventions can be taken as a proxy for an actor seeking to exercise power *over* ideas (i.e. ‘remaining deaf’ to contradictory ideas) (Carstensen and Schmidt, 2016: 327). Evidence of an actor seeking to exercise power *through* ideas, via the well-known rhetorical device of repetition, was gleaned from the D-G’s biennial reports to the ILC, which revealed how the priorities of the Office have shifted over recent decades from working with civil society organizations to the decent work agenda and most recently global supply chains. ‘Civil society’ was prominent in the late 1990s, peaked in 2003 and then disappeared from the D-G’s strategic reports after 2007 (Baccaro and Mele, 2012: 211; and Baccaro, 2015: 283); ‘decent work’ first appeared in 1999, peaked in 2005 and then declined thereafter; while the word ‘chain(s)’ made only an occasional appearance between 1997 and 2009, was not mentioned at all in 2005 and 2011, but was very prominent in Guy Ryder’s first strategic report to the ILC in 2013.

Visual mapping is a particularly effective sense-making strategy for understanding organizational processes (Langley, 1999: 700-3). Indeed, visual maps are used by organizations themselves,<sup>5</sup> most notably in the form of an organogram depicting lines of communication and control. Following any major restructuring, the revised organogram often provides a clear visual indication of the organization’s strategic (re)direction. Upon his appointment as D-G, Guy Ryder immediately reorganized the Office by increasing the policy portfolio from four to six main Departments, giving greater prominence to the Sectoral Policies Department (SECTOR).<sup>6</sup> From a research perspective, the significance of this reorganization was twofold. First, SECTOR was tasked with undertaking the background research on decent work in global supply chains in preparation for a tripartite discussion at the ILC. The researchers already had a long-standing relationship with SECTOR, dating back to the late 1990s (e.g. Turnbull, 1999, 2006 and 2013), and the PAO was tasked with

undertaking research for SECTOR on decent work in global supply chains (Thomas, 2016). Second, the work of SECTOR is almost entirely financed from the ILO's regular budget determined by the tripartite constituents and endorsed by the Governing Body. This makes SECTOR an ideal site for in-depth research on the ILO, connecting both with the global priorities of the Organization and its constituents, as well as the varied policies and practices found in different industrial sectors. It is the latter where the tripartite constituents are typically 'best placed' to face the challenge of promoting decent work in global supply chains.

From the vantage point of 'where' new policy ideas on decent work in global supply chains were most vigorously debated – SECTOR holds more tripartite (often contentious) meetings than any other Department – it was possible to map 'when' key events took place and 'what' happened, both 'behind the scenes' and at the formal meetings where the contribution of delegates to the debate is officially recorded. A visual mapping strategy allows for simultaneous depiction of a large number of dimensions (e.g. the hierarchy of decision-making, the involvement of different actors, political opportunities, and the passage of time), albeit a 'surface representation' that requires other methods to dig beneath the surface (Langley, 1999: 700-3). Figure 1 maps the data according to 'when', 'where' and 'what' happened. Recording the timing ('when') of official events (e.g. meetings of the Governing Body and ILC) is relatively straightforward, although new policy ideas presented at key meetings may have been a long time in the making ('in the mind') before they surfaced in the official discourse. In fact, all process data is more or less fluid – even the same place ('where') is not a static category (e.g. the composition of the ILO's Governing Body changes over time, which affects voting on the agenda for the ILC).<sup>7</sup> 'What' happened is summarized in the narrative of Figure 1, with solid arrows indicating 'if A then B' (e.g. agreement at the ILC mandates follow up action by the Governing Body), whereas dashed arrows indicate

more indeterminate relationships (e.g. the D-G's discourse on decent work in global supply chains may or may not resonate with constituents, political opportunities may or may not be seized upon, etc.), and the dotted arrows indicate actions yet to be enacted. At best, therefore, mapping 'when', 'where' and 'what' happened is no more than indicative of causality as constituted through a chain of events. Most importantly, Figure 1 is silent on 'why' events unfolded in this way (e.g. the framing and normative appeal of different policy ideas, power relations within the Office, and the scope for compromise between the tripartite constituents).

\*\*\* FIGURE 1 HERE \*\*\*

Our principal method to establish 'why' events followed a particular path was 'temporal bracketing' (Langley, 1999: 703-4) or 'process decomposition' (Langley et al, 2013: 7), analyzing the progression of events separated by identifiable discontinuities (a 'frame break') in the temporal flow. For example, a prolonged period of 'inactivity' on global supply chains (Phase I in Figure 1) was only broken by the appointment of Guy Ryder. His predecessor, Juan Somavía, while acknowledging the ILO's 'unique expertise' in relation to global supply chains, emphasized the need to 'remain attentive to existing legal obligations and to business sensitivities' (ILC.87/DG/1A: 11), a discourse that resonated with employers and the Asia Pacific region in particular where global supply chains are very active and member States have a poor record of ratification of fundamental ILO Conventions on freedom of association and the right to collective bargaining. More often, Somavía appeared to be concerned with the challenges faced by employers in the form of 'intensified social pressures for good corporate practices, which have a direct bearing on consumer demand and corporate reputations through the media' (ILC.87/DG/1A: 11) than with governance gaps and (in)decent work in global supply chains. Whereas Somavía welcomed corporate codes of conduct, social labelling, certification and the like as 'social signposts to guide economic activity along the entire commodity chain' (ILC.89/DG/1A: 44), leading to the accusation that

the ILO was now ‘an agency for globalization’ (Standing, 2008), Ryder (2015) was adamant that the ILO needed to ‘catch up’ on supply chains: ‘Global supply chains are vital to our economy, but can give rise to decent work deficits. Our task is to bridge those gaps’.<sup>8</sup>

Throughout the period of participant observation, the interpretation of the researcher ‘on the inside’ was ‘tested’ against the perspective of the researcher ‘on the outside’, generating an iterative process of reflection and abduction (i.e. empirical observations were connected to extant theoretical ideas to generate novel conceptual insight). The data were ‘bracketed’ in two ways: over time (‘what has happened’ and ‘what is likely to happen next’) and between the tripartite constituents (e.g. asking how workers’ representatives reacted, and why, given the stated position of employers and government representatives, and then thinking about and predicting what they might do next based on reframing grounded in, and made possible by, the prevailing institutional frame). Temporal bracketing was determined largely by the sequence of official meetings of the Governing Body and ILC, punctuated by a political opportunity (the Rana Plaza disaster) that was seized upon by the D-G to amplify the norms and values of the ILO and to highlight the plight of workers in global supply chains. Decomposition of the data by actor focused in particular on how the ILO’s tripartite constituents reacted to ‘orchestration’ by the Office.

In some situations, the response of particular actors to a particular discourse is (partially) predictable. For example, there is almost universal acceptance, if not always effective implementation, of the ILO’s *Declaration of Fundamental Principles and Rights at Work* (1998), although employers have recently questioned the right to strike at numerous ILO meetings. Likewise, ‘decent work’ is now the accepted *lingua franca* of the international community, although employers prefer to talk of ‘decent *and productive* work’. The problem for any international organization with ambitious governance goals (e.g. decent work for all) is moderate governance capacity (states are reluctant to cede authority to international

organizations). However, international organizations can enlist intermediary actors – employers and workers organizations in the case of the ILO (Baccaro, 2015: 262) – to effect a significant reversal in the relationship between principal and agent: ‘instead of merely operating as agents controlled by state principals, [international organizations] as orchestrators can – through intermediaries – guide the behavior of states as targets’ (Abbott et al, 2015: 11).<sup>9</sup> Albert Thomas, the ILO’s first D-G (1919-32), likened the Organization to a car in which the workers acted as the engine, governments as the steering wheel, and employers as the brakes (quoted by Maupain, 2013: 123-4), an analogy that is clearly supported by the data on voting at the ILC. In effect, therefore, the Office can rely on the votes of the workers (25 per cent), can assume the (initial) opposition of employers (25 per cent), and must persuade the government representatives (50 per cent) to steer in the desired direction. Support from the ILO is both material (e.g. technical assistance for national labour administration and training for the tripartite constituents at the ILO’s International Training Centre in Turin) and ideational (e.g. endorsing the policies of intermediaries). As Abbott et al (2015: 14) point out, support from an international organization ‘both empowers intermediaries and enhances the [international organization’s] ability to “steer” them’.

The ‘institutionalism’ in the theory of discursive institutionalism underlines the importance of considering ideas and discourse in their institutional context, specifically how ‘the substantive ideas developed and conveyed by “sentient” agents in discursive interactions ... inform their policy-oriented actions which in turn serve to alter (or maintain) “institutions”’ (Schmidt, 2011: 107). The ILO is a highly compound polity (governing activity is dispersed through multiple authorities) with an elaborate ‘coordinative discourse’ (cf. Schmidt, 2007: 994). There is always scope for new policy ideas in the ILO and a constant ‘battle for ideas’ through discourse and deliberation. Ideas are therefore empirical subjects to be studied in their own right (Schmidt, 2010: 14), in particular whether policy

ideas resonate with social actors and whether any new policy proposals are perceived to be practical and effective. After all, social action is contingent on anticipated outcomes (Klandermans, 1986). The ILO enjoys an exclusive mandate among international organizations to regulate labour and social issues (Baccaro, 2015: 263) and is able to draw on a powerful ‘injustice frame’ (Snow et al, 1986: 474) in order to reframe what was previously seen as ‘inevitable’ or ‘unfortunate’ to be ‘inexcusable’, ‘unjust’ or even ‘immoral’. Policy entrepreneurs within the Office know how to ‘speak of change’ and frame ideas in an institutional context that is not simply a ‘constraining structure’ but also an ‘enabling structure of meaning’.

As depicted in Figure 1, it took a long (squiggly line) time for the idea of a policy debate on decent work in global supply chains to make its way onto the agenda of the ILC. Inaction was largely a result of the ILO’s preference for ‘promotional principles’, as opposed to legally binding Conventions, under the *Declaration on Fundamental Principles and Rights at Work* (1998); as well as the adoption of a ‘non-confrontational’ agenda that prioritized ‘social dialogue’, as opposed to industrial relations, and defined labour rights ‘in terms of consumer choices and the market, in effect a privatization of employees and citizens’ political rights’ (Royle, 2010: 264). A conventional historical institutional account might attribute the eventual discussion of decent work in global supply chains at the ILC to the ‘exogenous shock’ of Rana Plaza and the political ‘window of opportunity’ that suddenly opened. But ideas can also ‘open windows’ – in fact, windows only open when events are ideationally constructed as opportunities for change (Schmidt, 2011: 108), when actors are convinced that it is in their interests to act collectively by coordinating their efforts and mobilizing their resources (Béland, 2009: 151). Like other international organizations (Béland and Orenstein, 2013), the ILO is a place where discourse matters (i.e. text *with* context and words *with* deeds), a place where speaking of change – who says what to who, when, where and why – is

central to explaining the reframing and collective action that ultimately leads to a major policy transformation.

### **Framing a path for the (vertical) governance of global supply chains**

‘to be path creating in international institutions it is first necessary to change the discourse’ (Deacon, 2013: 146).

If variance analysis ‘generates *know-that* type of knowledge’, process data ‘produces *know-how* knowledge’ (Langley et al, 2015: 4, original emphasis) extracted from a chain of events as opposed to (abstract) correlations between dependent and independent variables, albeit rarely a neat sequence where  $A \rightarrow B \rightarrow C \rightarrow D$ . The generative mechanisms that drive change in the ILO are frequently stalled (e.g. items that languish on the agenda), set back (e.g. a discussion that is deemed ‘premature’) or diverted (e.g. an argument in favour of better enforcement of existing Conventions, within national sovereign space involving the traditional horizontal actors, rather than a debate on a new standard that might fundamentally reframe the system of global labour governance). To put decent work in global supply chains on the agenda of the ILO (the first step from A towards D, albeit not necessarily via B and C) required orchestration by the Office, specifically the provision of ideational resources in favour of labour to win sufficient support from governments to overcome employer opposition. Once a policy idea is on the agenda of the ILC and dialogue begins, ‘any assumptions underlying even taken-for-granted constructions become “fair game” as long as the conversants, who are stakeholders to the problem, see their exposition as incurring serious scrutiny’ (Raelin, 2008: 521).

While no speech situation is ‘ideal’ in terms of inclusiveness, equal voice, and the absence of deception and coercion (Habermas, 1984), at the ILC every member State enjoys equal representation (two government, one employer and one worker representative), capital



and labour are on an equal footing (each with a 25 per cent share of the votes), and non-governmental organizations and other interested parties are often invited to speak (although not to vote). The discourse is comprehensible (at least to insiders well-versed in politically acceptable ‘ILO speak’), informed by long-standing and widely accepted normative values (labour is not a commodity), usually sincere (certainly for words if not always for deeds) and ultimately ‘agreed’ (the constituents might frame the problem and prescription very differently but must invariably find the words for an ‘agreed text’). The parliament of labour is a place where workers’ representatives in particular can ‘find their voice’ and ‘speak out’ in ways not merely sanctioned by position *qua* position but because of their self-identified interests and commitment to the working class. It is a place for ‘emancipatory discourse’ (Raelin, 2008: 524), not simply ‘diagnostic framing’ (problem recognition) but ‘prognostic framing’ (proposing solutions) and ‘motivational framing’ (mobilizing adherents and demobilizing detractors) (Benford and Snow, 2000: 615). This is the institutional context in which the Office sought to progress an item for discussion languishing before the Governing Body onto the agenda of the ILC.

#### *Phase I: inertia and inactivity*

The Workers’ Group in the Governing Body first raised the issue of decent work in global supply chains in March 2006 (GB.295/PV, para.6; see also Figure 1). The Office subsequently wrote up a proposal for the next Governing Body in November 2006 to ‘focus on structural changes taking place in key sectors of the global economy and the impact on the quantity, quality and distribution of employment’ (GB.297/2, para.70). In selecting which proposals from a list of six to consider in greater detail, only the Workers’ Group and a handful of governments (Argentina, Czech Republic, Germany and the UK) supported the proposal on decent work in global supply chains. The Employers’ Group, while not explicitly rejecting the proposal, highlighted the importance of horizontal as opposed to vertical

regulation (diversion), noting that ILO standards ‘covered almost all possible situations and relationships in the world of work. The important thing was therefore not so much to develop new general standards [ILO Conventions], but rather to ensure that existing standards were applied more effectively’ (GB.297/PV, para.5).

Proposals before the Governing Body ‘rarely die’, they simply languish as an item for discussion and ‘move up and down’ in the priorities of the tripartite constituents, as interpreted by the Office (PAO notes). The Workers’ Group continued to support the proposal for an agenda item on decent work in global supply chains at *every* subsequent meeting of the Governing Body between 2007 and 2013. Employers’ opposition was unyielding if not always explicit – on most occasions they simply supported other proposals and said little or nothing about global supply chains (i.e. exercising power over ideas by ‘refusing to listen’).<sup>10</sup> The Rana Plaza disaster in Bangladesh (April 2013), killing more than 1 100 workers, dramatically changed the discourse outside the ILO and led to an Accord between two global union federations (GUFs) and over 200 multinationals, with the ILO as an independent chair (Reinecke and Donaghey, 2015). This was a significant step towards a new role for the ILO in global labour governance, working directly with international actors (TNCs and GUFs) rather than the Organization’s tripartite constituents in this particular industrial sector (as under the Better Work Programme). But if the ILO was to inter-connect both its traditional constituents (horizontal labour governance) and the organizations embroiled in global supply chains (vertical labour governance), then it was beholden on the Office and the D-G to re-frame the policy debate by initiating a new coordinative discourse inside the Organization.

#### *Phase II: orchestration and opportunity*

In seeking to consciously change the system of global labour governance through deliberation, contestation and consensus-building around an agreed ‘text’, policy entrepreneurs in international organizations can draw on rational-legal authority from their

constitution, delegated legitimacy from member States, moral legitimacy that comes from their mission, and expert legitimacy based on widely recognized and accepted knowledge (Barnett and Finnemore, 2004: 25). The constitution of the ILO grants the Office autonomy rather than rational-legal authority and member States have been reluctant to cede authority to the ILO or even ratify the majority of the Organization's Conventions. The Office must therefore draw on its considerable moral legitimacy and establish its expert legitimacy in an area (global supply chains) not previously considered within its remit. As a former General Secretary of the International Trade Union Confederation (ITUC), Guy Ryder certainly considered global supply chains to be within his remit. Moreover, his framing of the issues – the 'politics of signification' (Snow and Benford, 1988: 190) – was highly critical of global supply chains: 'what is not acceptable, is that companies shift production and locate supply chains to avoid trade unions and to avoid respect for worker rights. That is not about comparative advantage. It's about absolute abuse, and any approach to the global economy has to make it impossible' (Ryder, 2003; see also Ryder 2007).

As Director-General of the ILO, like all other D-Gs before him, Ryder is more 'measured' in his official language ('ILO speak') and avoids 'naming' and implicitly 'shaming' any specific member State(s) where the violation of health and safety regulations or other abuses of workers' rights are in the spotlight. Nonetheless, in his first strategic report to the ILC, less than a month after the Rana Plaza disaster, there were two references, explicit to the insider, to what is widely considered to be the third worst industrial accident of all time:

'The labour issues related to supply chains periodically hit the headlines when a case of serious abuse is brought to public attention or when a tragedy occurs at a workplace, causing appalling loss of life' (ILC.102/DG/1A, para.141).

'... the ILO is the object of pointed criticism for having failed to take up its own responsibilities' (ILC.102/DG/1A, para.141).

Compared to the response of Francis Blanchard (D-G from 1974 to 1989) to the Bhopal disaster in 1984 – ‘On the specific issue of safety and health, for instance, who can fail to be impressed by the human and economic cost, exemplified by recent tragic examples, of the insufficient attention given to the subject?’ (ILC.71/DG/1A: 17) – Ryder’s language in response to Rana Plaza was more specific (a single ‘case’ vs. unspecified ‘examples’), emotive (‘serious abuse’ and ‘appalling loss of life’ vs. ‘impressed by’) and certainly more self-critical (‘own responsibilities’ of the ILO vs. ‘insufficient attention’ of unnamed social actors). The D-G’s discourse in response to Bhopal produced nothing other than a non-binding Resolution on dangerous substances. The response to Rana Plaza, in contrast, not only involved the ILO stepping up to chair the Bangladesh Accord – itself an unprecedented step and a new institutional role for the Organization – but the articulation of a new discourse that created an opportunity for public as opposed to private forms of vertical labour governance.

In order to mobilize support for a discussion on decent work in global supply chains at the ILC, in his first strategic report the new D-G pointed out that: ‘Proposals for a Conference [ILC] discussion on decent work in global supply chains have yet to meet with the support of the Governing Body, which will, nevertheless, have an early opportunity to return to the matter’ (ILC.102/DG/1A, para.76). This is ‘ILO speak’ for ‘the Governing Body needs to urgently address this matter’ (PAO notes). To reinforce the point, the D-G subsequently noted that: ‘The Governing Body has in fact examined, but not so far acted on, the option of including the question of global supply chains in the agenda of a Conference session. It may wish to give further consideration to this in the future’ (ILC.102/DG/1A, para.142). The ‘future’, in this context, is ‘ILO speak’ for ASAP (PAO notes).

As expected, the employers continued to oppose (divert) any discussion on decent work in global supply chains through ACT/EMP (the Bureau for Employers’ Activities within

the Office) (PAO notes) and in the Governing Body. In response to the Rana Plaza tragedy, for example, they argued that: (i) the problem in Bangladesh was building regulations, not labour standards; (ii) most of the garment industry in Bangladesh was producing for the domestic market and responsibility therefore fell to national political authorities and not enterprises, multi-national or otherwise, to legislate for and enforce human rights and fundamental social standards; (iii) multi-national enterprises were not a ‘fourth constituency’ of the ILO and the Office should work with and respect the roles of the International Organization of Employers (IOE) and ACT/EMP; and (iv) any attempt by the ILO to integrate public and private, horizontal and vertical labour governance would be futile, as ‘relationships within global supply chains were more like affairs than marriages’ (ILC.102/PR/11, para.94) and rather than ‘pearls on a string ... it would be more accurate to compare them to a dish of spaghetti. If you tried to pull them apart, it was unclear where the other end was’ (ILC.102/PR/11, para.9).

Power through ideas is dependent on normative values and cognitive validity in relation to a given community (Carstensen and Schmidt, 2016: 324) and it was immediately evident that the employers’ framing of the Rana Plaza disaster failed to resonate with the ILC. As a result, and building on the D-G’s ‘instruction’ on global supply chains to the Governing Body, the Office was able to orchestrate the Workers’ Group in alliance with a sufficient number of government representatives from developed countries, Brazil and the Africa Group, to insert into the agreed Conclusions of the ILC in 2013 a request for the Governing Body to consider supply chains as an agenda item for the ILC no later than 2016 (ILC.102/PR/11: 65). To make the next step possible, a new proposal from the Office for decent work in global supply chains was now urgently needed.

The proposal was written by SECTOR and emphasized the importance of ‘understanding ... the decent work challenges at the sector-specific level ... further

underlining the need to reinforce the sectoral approach to decent work’ (GB.319/INS/2, para.5). SECTOR is well-placed to bridge ‘unmobilized sentiment pools’ (Snow et al, 1986: 467) – workers in different industries/countries connected by global supply chains who share common grievances but who lack the organizational base for exploiting their discontent – and policy entrepreneurs within the Department are able to ‘stand apart’ from the prevailing order of the world (Cox, 1981: 129) and not only ask ‘how it came about’ but also ‘how it might change’. Through the orchestration of the Office, and more specifically SECTOR, the proposal on global supply chains moved up the agenda before the Governing Body, from fifth (of six items) in November 2006 to third (of six items) in March 2013 and then first (of seven items) in October 2013. The Employers’ Group and several Asia-Pacific member States fearful of losing foreign direct investment were no longer able to silence the workers and the governments who supported the proposal, but it was still to be decided whether the preparations for the ILC discussion in June 2016 would be led by SECTOR (the preference of the workers) or ENTERPRISES (the preference of employers). Following a period of ‘political points trading’ between Departments (PAO notes), an ILO-wide task team was established with SECTOR very firmly in the driver’s seat.

The power to set the agenda of the ILC was precipitated by a reframing of the coordinative policy discourse from the ‘horizontal’ to the ‘vertical’:

‘For the ILO, *whose interest and responsibilities are centred on the labour practices along these chains*, the corresponding question is whether it is sufficient to continue to address these matters purely by reference to the States which are its members and which are legally bound to apply ratified Conventions. The responsibilities of member States are not diminished or supplanted by global supply chains. But the fact that private actors are the drivers of the constantly shifting supply chains or production networks that increasingly characterize international trade and investment would seem

to indicate that *there are additional opportunities for the ILO to promote decent work in their operations*' (ILC.102/DG/1A, para.75 emphasis added).

The significance of this reframing was not lost on the tripartite constituents: the ILO was seeking to depart from its traditional path of horizontal labour regulation (i.e. the territorial embedding of economic and social relations between capital, labour and the state), by 'intertwining' a new system of vertical labour governance along the supply chain (i.e. the vertical organization and flow of value activities across multiple scales from the global to the local). The idea, in other words, was to develop a system of labour governance that would incorporate both the organizational scales (vertical dimension) of global production network actors and their territorial embedding (horizontal interfaces) (cf. Coe and Yeung, 2015: 68).

To integrate the horizontal and the vertical, social actors must accept their responsibilities along the supply chain, most notably the idea that a TNC in Country X can be held responsible for the employment practices of its suppliers in Country Y. In short, any change in material conditions for workers must start with the idea of responsibility for decent work *across borders*. The D-G clearly stated this idea of extending the ILO's 'interests and responsibilities' to the 'labour practices along [global supply] chains' (ILC.102/DG/1A, para.75). Previously, however, any such involvement on the part of the ILO has been limited.

Under the system of 'vertical private governance' depicted in the left hand side of Figure 2, labour standards rest ultimately in the hands of lead firms in the supply chain and their voluntary codes of corporate conduct. As Guy Ryder has readily acknowledged, 'the ILO really missed the boat of the CSR [corporate social responsibility] explosion' (Ryder, 2015). Likewise, the ILO has no involvement in international framework agreements and even under the Accord, in its capacity as an independent chair, the Organization has been unable to bring the Bangladeshi government and smaller sub-contractors to the table on a regular basis (PAO notes). Better Work is a more successful initiative in terms of its scope

and substantive outcomes (Posthuma and Rossi, 2017), but like the Accord is sector-specific (textiles and garments) and is a horizontal rather than a vertical form of governance. To go beyond these initiatives, and indeed beyond the ILO's historic horizontal remit, called for a strategic reframing that would move the Organization towards the right-hand side of Figure 2.

\*\*\*FIGURE 2 HERE\*\*\*

### *Phase III: horizontal and vertical governance*

The conventional system of ILO Conventions is often misunderstood and misclassified as a form of 'vertical public governance' (Gereffi and Lee, 2016: 30). While clearly a public (multi-level) form of governance – member States decide whether or not to ratify international Conventions – the implementation and enforcement of labour standards does not follow the vertical (cross-border) lines of global supply chains but the horizontal (territorial) space of member States' jurisdiction. In particular, TNCs are not directly represented via the ILO's tripartite structure, as the members of IOE are national employer associations who are expected to respect national employment laws, regardless of whether or not these comply with ILO Conventions. Clearly, the remit of national employer associations, and by extension the IOE, does not extend to cross-border labour regulation.

The organization of the ITUC mirrors that of the IOE, inasmuch as the Confederation represents the interest of national trade union federations. However, whereas IOE does not routinely invite TNCs as observers at tripartite meetings of the ILO, the ITUC is keen to involve GUFs in sectoral meetings, recognizing that the industry-based global federations best represent the (vertical) interests of workers who are connected via global supply chains. Moreover, it is at the sectoral level that the ILO has implemented one of the most innovative instruments for global labour regulation, the Maritime Labour Convention (MLC) 2006 (Bollé, 2006), registered in the SECTOR framework of the ILO, which represents a 'new paradigm for global labour rights implementation' (Lillie, 2008: 191). International shipping



is one of the most difficult sectors to regulate – globalization had displaced the industry ‘into a disembedded transnational space’ (Lillie, 2008: 197) – and the MLC was a long time in the making (first discussed at the ILC in 2001, formally adopted in 2006 but only entered into force on 20 August 2013, one year after reaching the ‘threshold’ for ratification of 30 member States). Nonetheless, the MLC is one of the most comprehensive ILO Conventions, covering over 90 per cent of world gross tonnage of shipping, and more importantly it gives the ‘port state’, wherever a vessel calls, the right to inspect conditions on board foreign ‘flag state’ vessels. In other words, ‘the MLC will have member States enforcing labour standards directly on *each other’s* ships’ (Lillie, 2006: 192 original emphasis), thereby preventing TNCs exploiting ‘spaces of exception’ (the ‘flags of convenience’ with more favourable tax laws and much weaker employment protection). Thus, international shipping is re-embedded not by the port state enforcing national law but the standards set out in the MLC.

While the Office, ITUC, GUFs and other labour organizations try to connect workers along the vertical supply chain, the employers deny any connection, or more precisely prescribe the traditional horizontal path of tripartite regulation within sovereign member States. The incongruous position of the protagonists was openly and acrimoniously debated over nine days at the ILC in June 2016 (four days of plenary discussion in the ILC, two days in committee drafting Conclusions and three further days of plenary discussion of the draft Conclusions in the ILC). For the Employers’ Group, ‘The only way to ensure that all workers are equally protected is to develop strong national institutions that can implement and enforce laws covering all companies and workers within its borders, regardless of whether they participate in cross border supply chains’ (PAO notes). For the Workers’ Group, in contrast, a purely territorial approach was far too limited:

‘Everyone is connected but no one is responsible. We need accountability and governance, particularly from the “economic employer”, the lead firm in the supply

chain. We need standards that apply wherever the supply chain reaches. There can be no excuses, no exemptions, no blaming abuses on the local management just because it's a subcontractor or far from the home country' (PAO notes).

The Workers' Group proposed that the 'economic employer' could be held accountable via a Convention 'on decent work in global supply chains, which can and should provide the basis for a new approach to labour regulation and enforcement at the international level, much the way that the Maritime Labour Convention has for the maritime industry' (PAO notes). The potential of a 'global MLC' was an idea the Workers' Group advocated on numerous occasions to highlight the limitations of horizontal regulation, the need for vertical regulation, and the new repertoire of policy options available to the ILO and its constituents:

'Most laws and international conventions stop at the borders, the model of regulation in the ILO being to set minimum standards at the global level that need to be ratified in national legislation, which has only territorial effect. The Maritime Labour Convention is an interesting example of a new approach, going beyond national borders, which can help us identify innovative ways forward' (PAO notes).

Crucially, the rhetorical framing of the workers' position won support from a majority of member States, with particularly strong support from the European Union group led by the Netherlands, which held the Presidency of the EU at the time (see Figure 1). While some governments stayed true to conventional ILO speak – the US representative, for example, politely noted that 'not everyone played by the rules' (PAO notes) – the discourse of the Africa Group was far more emotive, describing indecent work as the result of 'intentional design' by TNCs of their global supply chains (Namibia representative, PAO notes). Only member States from the Asia Pacific region (e.g. Bangladesh and India) expressed any forthright opposition to the proposal for a new standard on decent work in global supply chains.

Breaking their previous silence on this issue, the employers' obloquy was initially directed towards the background research reports produced by the Office, which identified governance gaps and decent work deficits in numerous sector-specific global supply chains. In seeking to undermine the ILO's expert legitimacy – any moral legitimacy the employers might lay claim to was already lost – the Employers' Group argued that while 'relevant, verifiable data is a fundamental prerequisite for good policy making', the ILO 'must do more to generate the data needed and launch more relevant research' (PAO notes). The employers then cited ten studies not included in the Office's analysis that were claimed to demonstrate the beneficial effects of cross-border supply chains. An immediate review of these studies revealed that *none* purported to be about global supply/value chains; eight focused on the impact of exports on wages; of these, five found that exporting was associated with increased inequality of earnings between more skilled/white collar workers and less skilled/blue collar workers; while two studies reported that exporting was associated with lower wages, contrary to the employers' claim that cross-border supply chains were 'ladders for development' that 'do not pose a unique challenge to decent work' (PAO notes). Rather than highlight the 'irrelevance' of the employers' preferred research, and to avoid any unnecessary confrontation, the Workers' Group cited the research of Gary Gereffi and Richard Locke to amplify their arguments for a new standard to promote decent work in global supply chains.

A total of 121 amendments, the vast majority from the Employers' Group, were received on seven pages of 'concluding' text, with the first day of contentious discussions on the draft Conclusions adjourning at 23:00 and 01:30 on the second day (all other Committees working on other ILC agenda items finished their work by 18:00 every evening). In a 6-hour debate on the word 'standard', the Employers' Group sought to exclude this word from the Conclusions of the ILC, thereby attempting to prevent the idea of a Convention on decent work in global supply chains going forward to the Governing Body. Once again, the Office

and the Workers' Group commanded the moral high ground: 'It's a sad day for the ILO when this house cannot discuss "standards"' (Workers' spokesperson, PAO notes). Of the 25 agreed points in the *Resolution and Conclusions* the most significant was saved until last:

'There is concern that current ILO standards may not be fit for purpose to achieve decent work in global supply chains. Therefore, the ILO should review this issue and convene, as soon as appropriate, by decision of the Governing Body, a technical tripartite meeting or a meeting of experts to: (a) Assess the failures which lead to decent work deficits in global supply chains. (b) Identify the salient challenges of governance to achieving decent work in global supply chains. (c) Consider what guidance, programmes, measures, initiatives or standards are needed to promote decent work and/or facilitate reducing decent work deficits in global supply chains' (ILC.105/PR/14-1, para.25).

For IndustriALL, a signatory of the Bangladesh Accord and one of the most active GUFs that has signed 47 international framework agreements with TNCs covering 10 million workers, 'Inclusion of the word "standard" is crucial as this allows the possibility of a future Convention to be squarely on the agenda' (IndustriALL, 2016). The International Transport Workers' Federation (ITF) echoed these sentiments: 'We could finally see protection for workers in global supply chains, wherever they are based, by ensuring accountability and governance, particularly from the lead firm in the chain. We've done it before for seafarers, with the ground-breaking ILO Maritime Labour Convention' (ITF, 2016). Inside the Office, many officials regard para.25 of the *Resolution and Conclusions* as a change to the very mandate of the ILO (PAO notes).

Although the D-G maintains a strong belief in the capacity of the ILO's tripartite constituency to innovate and make progress on a range of issues, as a policy entrepreneur he readily acknowledges that leadership in the Organization is vital (PAO notes). Thus, change

can start with a policy idea from the tripartite constituents or within the Office, but whatever the origin it is unlikely to progress without orchestration based on a reframing of the policy agenda that is rooted in the practice and immediate experience of individuals and groups. Employers tried but failed to derail the discourse – they talked of employment opportunities (rather than decent work) in cross-border (as opposed to global) supply chains, and tried to talk up existing (ineffective) Conventions (horizontal regulation) rather than acknowledge the need for a new paradigm of global labour governance (vertical regulation along chains and across borders) (PAO notes). As is their wont, they once more applied the brakes, but quickly discovered that the brake pads were severely worn by the discourse, and the evidence, on (in)decent work in global supply chains.

The direction of travel is never smooth at the ILO, but the process is still moving forward (see Figure 1), with the Governing Body (October 2016) requesting the Office to organize three meetings on: (i) possible action to promote decent work in export processing zones (in 2017), (ii) cross-border social dialogue to address decent work in global supply chains (in 2018), and (iii) governance gaps and decent work in global supply chains (in 2019) (GB/328/INS/5). These meetings are key stages in a *Roadmap* published in March 2017 (running to 2022) that sets out in detail the specific steps in the ILO's self-proclaimed 'theory of change' to significantly reduce decent work deficits in global supply chains (GB/329/INS/3/2).

## **Conclusions**

Although ideas and discourse precede, legitimize and actuate policy change, there is a danger of conflating the notion that 'ideas matter' with the 'power of ideas' (Carstensen and Schmidt, 2016) such that a simple (re)framing within an 'accepted discourse' (decent work), amplified through carefully chosen words ('ILO speak'), would somehow persuade the tripartite

constituents that global supply chains created ‘governance gaps’ under traditional (horizontal) standard-setting that the ILO needed to address. Strategic framing that ultimately demands collective action is an inherently contentious process. By October 2013, the Employers’ Group in the ILO was no longer able to exercise ‘power over ideas’ by ‘refusing to listen’ (i.e. preventing decent work in global supply chains making its way onto the agenda of the ILC), but likewise the Workers’ Group was subsequently unable to exercise ‘power through ideas’ by persuading the employers of the cognitive validity or normative value of their particular worldview. To be sure, the moral evaluation of policy ideas can be ‘taken as read’ within the ILO, since labour is not a commodity and all workers have a right to decent work, but what is always contested, and never fully settled, is the particular problem definition, any causal interpretation and consequent policy recommendation(s). As a result, in the absence of reframing and orchestration by the Office, the ILO would remain ‘adrift’ and increasingly irrelevant in the face of globalization. This is indeed the prevailing consensus among historical institutionalists, but only because such accounts are largely silent on the social construction of the policy ideas that policy entrepreneurs seek to promote in international organizations.

Discursive institutionalism, in contrast, focuses on the interactive processes through which ideas are conveyed, exchanged, and prioritized, in the institutional setting in which these ideas ‘make sense’ and ultimately ‘matter’. Openings and opportunities for reframing are made possible by personal biographies (Guy Ryder’s in particular), existing institutional frames (e.g. the MLC), and political opportunities (most notably Rana Plaza), provided these are seized upon and framed in the service of an internal coordinative policy discourse orchestrated by the Office that resonates with the day-to-day practice and ‘lived experience’ of the tripartite constituents (especially labour). In seeking to reframe the system of global labour governance through the organizational dynamics of global supply chains, the ILO has

embarked on a path that might ultimately lead to a very different, potentially paradigm-shifting approach to governing employment relationships in the global economy. After almost a century of supporting its tripartite constituents at the national level, the Conclusions of the ILC in 2016 signal a reorientation of the ILO towards a system of vertical public governance that will not only bolster the position of national actors by providing additional leverage to embed transnational actors in the sovereign space of member States, but will also encourage States to enforce international standards *on other States and actors connected through global supply chains*.

A new standard for decent work in global supply chains will no doubt be a long time in the making. But just as the MLC has achieved much greater coverage than any other sector-specific Convention (as a percentage of the workforce as opposed to ratification by member States), the potential impact of a new standard for global supply chains is much greater than conventional (horizontal) ILO governance. Governance gaps would no doubt remain, but the ILO is the only international organization with a mandate to close existing gaps through public as opposed to private regulation. The success, or otherwise, of the ILO's reframing of global labour governance cannot be overstated – it will speak volumes for the continuing relevance of the ILO in an age of globalization and the prospects of decent work for millions of workers around the globe.

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<sup>1</sup> References to the Governing Body of the ILO are reported as GB with the relevant session (e.g. 323), the section or committee number (e.g. Institutional or 'INS'), number of the document (e.g. 2) and paragraph (e.g. 1) or page number. Any subsequent reference to the written report or proceedings is denoted by the abbreviation 'PV' (*procès-verbaux*).

Subsequent references to the Provisional Record (PR) or Director-General's (D-G) report of the International Labour Conference (ILC) follow the same nomenclature.

<sup>2</sup> Ryder was a former General Secretary of the International Trade Union Confederation. All previous D-Gs have worked for the government in their respective member States.

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<sup>3</sup> After every meeting attended by the PAO, and following any other significant interaction with colleagues and tripartite constituents, reflective notes were recorded in a journal to highlight ‘who said what, to who, where and why’, as well as any potential or actual impact on ideas, discourse, reframing and subsequent policy change. Observational data are reported as ‘PAO notes’ in the text.

<sup>4</sup> A Convention is not adopted if the number of votes cast for and against is less than half the number of delegates attending the ILC and non-participants rarely report their absence from the voting session. Thus, abstention and, *ipso facto*, non-participation at the ILC constitutes a ‘real weapon’ for blocking votes considered ‘politically inexpedient’ (Maupain, 1987: 487).

<sup>5</sup> A visual mapping of the process of adopting an ILO Convention is available at:

[http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---normes/documents/image/wcms\\_084158.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/image/wcms_084158.pdf)

<sup>6</sup> SECTOR was previously a specialist department under Social Dialogue. Workers’ representatives, especially the global union federations (GUFs), had lobbied for a freestanding department focused on industrial sectors. Employers lobbied for the elevation of ENTERPRISES (previously under Employment), which is now also a freestanding policy department.

<sup>7</sup> The agenda of the ILC is set by the Governing Body, which is comprised of: 28 Government members (including ten sets held permanently by States of ‘chief industrial importance’, namely Brazil, China, France, Germany, India, Italy, Japan, the Russian Federation, the UK and USA, with the other Government members elected by the ILC every three years), 14 Employer members, and 14 Worker members.

<sup>8</sup> <https://twitter.com/GuyRyder/status/755414872238817281>

<sup>9</sup> It is worth noting that around 80 per cent of the ILC agenda items proposed to the Governing Body originate in the Office compared to 20 per cent from members of the Governing Body (GB.268/3, para.3).

<sup>10</sup> A minority of member States consistently supported the proposal. Among the permanent member States of ‘chief industrial importance’ (see note 7) there was consistent support from France, Germany, Italy, the UK and USA. Other European States elected to the Governing Body for a 3-year term also supported the proposal (e.g. Austria, Belgium, Greece, Hungary, Netherlands, the Nordic countries and Poland), as did Australia and Canada. The Africa Group (Congo, Egypt, Niger, Tanzania, Togo and Zambia) elected in 2011 also supported the proposal.



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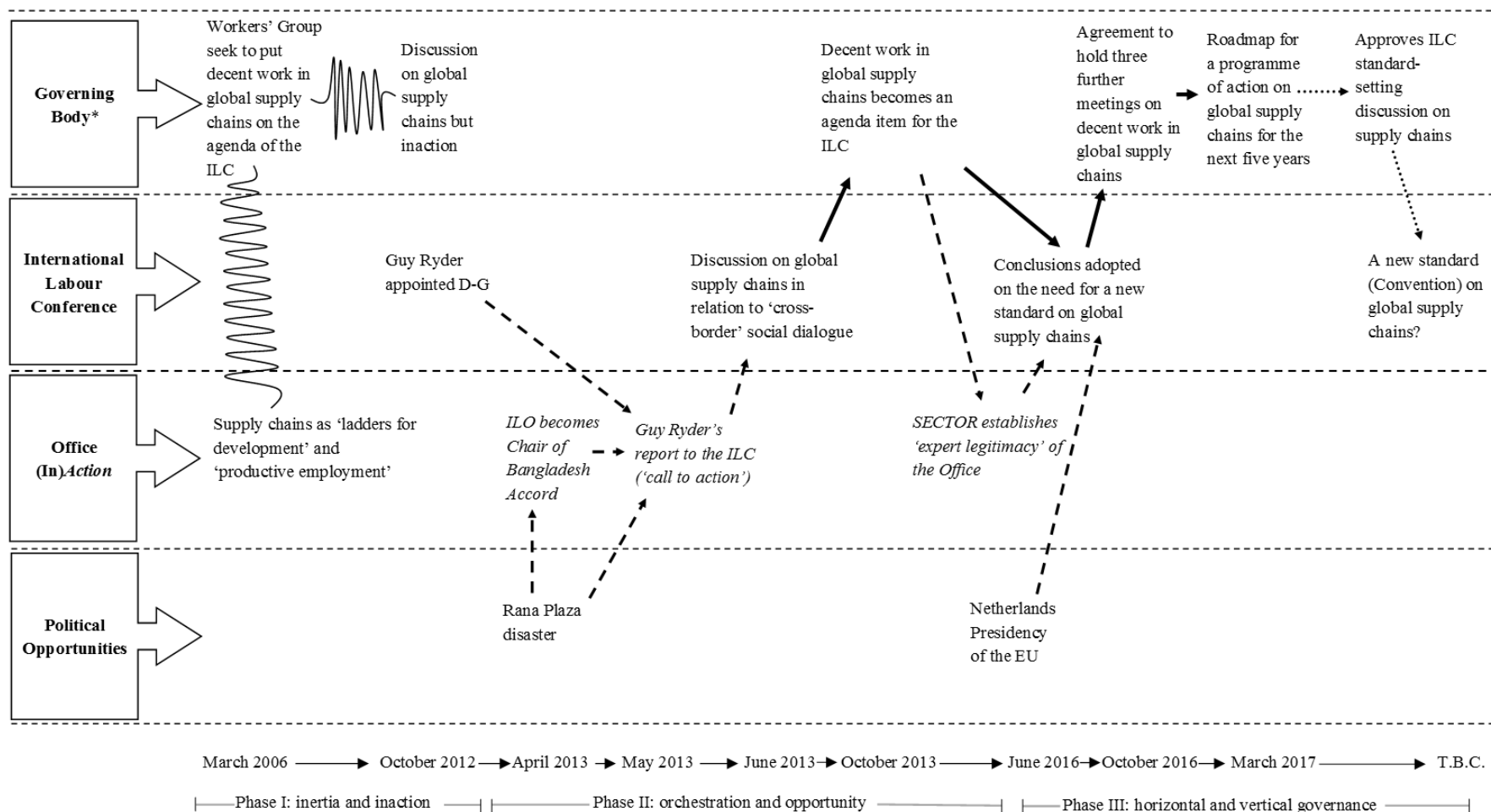
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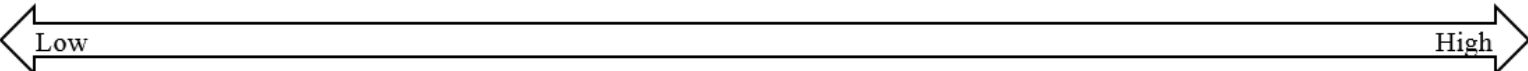
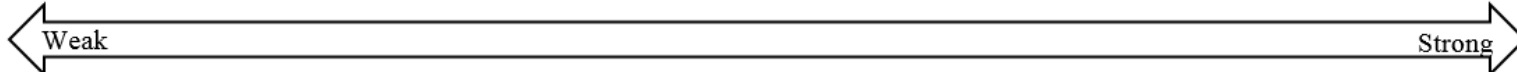
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**Figure 1. Mapping the ILO's reframing of decent work in global supply chains**



Note: \* The Governing Body meets three times a year (March, June and November).

**Figure 2. The ILO and global labour governance**

	Corporate Social Responsibility	The Accord	International Framework Agreements	Better Work Programme	ILO Conventions	Maritime Labour Convention, 2006	Global Supply Chain 'Standard'
<i>Scope for Universal Protection</i>							
<i>Form of Governance</i>	Private	Private	Private	Private and public	Public	Public	Public
<i>Primary Actors/Targets</i>	Lead firms and first tier suppliers	Lead firms, global union federations and Bangladesh garment suppliers (first tier)	Global union federations and lead firms	ILO tripartite constituents in seven (garment producing) countries	Ratifying member States*	Ratifying member States and non-ratifying 'flag' States	Potentially all actors in the relevant global production network
<i>Actor Interface</i>	Vertical	Vertical	Vertical	Horizontal	Horizontal	Horizontal and vertical	Horizontal and vertical
<i>Territorial Embeddedness</i>							
<i>ILO Function</i>	N/A	Independent chair	N/A	Technical assistance and capacity building	Standard-setting and monitoring	Standards consolidation, certification and monitoring	'Standard' setting (tbc.)

Note: \* If all 187 member States of the ILO ratified all 189 Conventions, there would be 35 343 ratifications in total whereas the actual number is just over 8 000. Although the fundamental Conventions (C.29, C.87, C.98, C.100, C.105, C.111, C.138 and C.182) must be respected by all ILO member States by virtue of membership, the Conventions on the Freedom of Association and Protection of the Right to Organise (No.87, 1948) and the Right to Organise and Collective Bargaining (No.98, 1949) cover less than 50 per cent of world's population.

